

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

In Re:

Maria M. Crosby

Debtor

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BANKRUPTCY No. 19-30719

MOTION TO MODIFY
CHAPTER 13 PLAN PAYMENTS

This pleading requests relief that may be adverse to your interests.

If no timely response is filed within 21 days from the date of service, relief requested herein may be granted without a hearing being held.

A timely response is necessary for a hearing to be held.

TO THE HONORABLE BANKRUPTCY JUDGE:

Comes now, Debtor, by and through her attorneys, Edgar J. Borrego / Miguel A. Flores, and files this Motion to Modify Chapter 13 Plan Payments, and as grounds thereof, would respectfully show the Court as follows:

I.

Debtor filed her Chapter 13 case on April 29, 2019 and it was confirmed on July 24, 2019.

II.

Debtor's plan payments are \$100.00 for 60 months plus an additional \$2,000.00 from her tax refund for 5 years as follows: April 2020, April 2021, and April 2022, April 2023, and April 2024. The plan base is \$16,000.00.

III.

Debtor will be receiving \$3,100.00 from her 2020 tax refund therefore she would like to reduce her refund amount for this year to \$1,000.00. Debtor is unemployed and has not been able to find

employment due to the pandemic. Debtor would like to use the remaining difference from her tax refund to supplement her income.

IV.

Debtor requests that her plan payments remain at \$100.00 per month for 38 months beginning with the March 2021 payment. Debtor requests that she reduce her tax refund to \$1,000.00 for April 2021 and \$2,000.00 for the following years: April 2022, April 2023, and April 2024.

V.

Debtor requests that her plan base decrease to \$15,000.00. Said base is calculated as follows: $(60 \text{ months} \times \$100.00) + (4 \text{ years} \times \$2,000.00) + \$1,000.00$. The percentage to unsecured claims will remain at approximately 6%.

VI.

Debtor is current with her Chapter 13 plan payments.

VII.

Debtor's total payment will be \$100.00 per month commencing March 2021. The Debtor shall be responsible for sending the complete payment directly to the Trustee either by money order or cashier's check to Stuart C. Cox, Trustee, P.O. Box 210, Memphis, TN 38101-0210 or via E-Pay at <http://www.ch13elpaso.com>.

VIII.

Debtor does not object to providing an amended budget to the Trustee anytime in the future. In the unlikely event that Debtor's disposable income increases, the Trustee is not barred from seeking a future modification to increase the plan payments.

IX.

Debtor will show that the proposed modification will still enable the Trustee to pay all allowed secured claims and the proposed plan would pay the unsecured creditors at least the amount they would have received if her case was originally filed under Chapter 7.

X.

Attached to this Motion is Exhibit A showing the form of proposed order.

WHEREFORE, PREMISES CONSIDERED, Debtor prays that after notice and hearing, the Motion to Modify as set out above be granted and for other relief she may show herself entitled.


Respectfully Submitted,

TANZY & BORREGO LAW OFFICES P.L.L.C
2610 Montana Avenue
El Paso, TX 79903-3712
Phone: (915) 566-4300
Fax: (915) 566-1122
efile@tanzyborrego.com



Maria M. Crosby

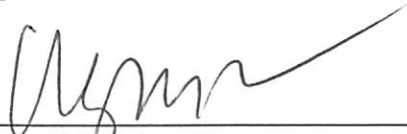
By:



EDGAR J. BORREGO, SBN# 00787107
MIGUEL A. FLORES, SBN#24036574
Tanzy & Borrego Law Offices P.L.L.C

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was mailed/delivered via electronic means as listed on the court's ECF noticing system or by regular first class mail to all entities on the attached matrix on 3/8/2021.



Edgar J. Borrego / Miguel A. Flores
Tanzy & Borrego Law Offices P.L.L.C

TB#39032/VV

Label Matrix for local noticing
0542-3
Case 19-30719-hcm
Western District of Texas
El Paso
Thu Mar 4 17:03:10 CST 2021

American Express
P.O. Box 315111
Salt Lake City, UT 84131

Attorney General
10th & Constitution N.W.
Main Justice Bldg. #5111
Washington, DC 20530-0001

Carrington Mortgage Services , LLC
P.O. Box 5001
Westfield, IN 46074-5001

(p)US DEPT OF HOUSING AND URBAN DEVELOPMENT R
MARCUS R PATTON
OFFICE OF GENERAL COUNSEL
801 CHERRY ST UNIT 45
FT WORTH TX 76102-6882

Internal Revenue Service
Special Procedures Staff- Insolvency
P.O. Box 7346
Philadelphia, PA 19101-7346

New York & Company
Bankruptcy Department
P.O. Box 182125
Columbus, OH 43218-2125

O.K. Finance
312 S. Stanton St.
El Paso, TX 79901-2824

People Fund
2801 Swiss Ave
Dallas, TX 75204-5925

Ryan Dunn
405 Main Street
Suite 836
Houston, TX 77002-1840

U.S. BANKRUPTCY COURT
511 E. San Antonio Ave., Rm. 444
EL PASO, TX 79901-2417

American Express National Bank
c/o Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

(p)BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998-2238

Carrington Mortgage Services, LLC
1600 S. Douglass Road
Anaheim, CA 92806-5951

GECU
P.O. Box 37035
Boone, IA 50037-0035

Lowe's/Synco
P.O. Box 530914
Atlanta, GA 30353-0914

Northstar Leasing Company
747 Pine St #201
Burlington, VT 05401-5196

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

PeopleFund
2921 E. 17th St., Bldg D, Ste 1
Austin, TX 78702-1509

Sam's Club/Synco
Attn: Bankruptcy Dept.
P.O. Box 960013
Orlando, FL 32896-0013

AT & T
P.O. Box 6463
Carol Stream, IL 60197-6463

Anatolio Bracamontes
3016 County Rd 1223 1/2
Midland, TX 79706-3252

Buckners
1168 Bucksnot Rd
Jackson, GA 30233-6009

City of El Paso
c/o Bradley S. Balderrama
711 Navarro, Ste. 300
San Antonio, TX 78205-1749

GECU
PO Box 20998
El Paso TX 79998-0998

(p)DSNB MACY S
CITIBANK
1000 TECHNOLOGY DRIVE MS 777
O FALLON MO 63368-2222

Northstar Leasing Company
P.O. Box 342
Brattleboro, VT 05302-0342

Paypal
P.O. Box 71202
Charlotte, NC 28272-1202

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Tax Assessor/Collector
P.O. Box 2992
El Paso, TX 79999-2992

(p)CITIBANK
PO BOX 790034
ST LOUIS MO 63179-0034

U.S. Attorney/FHA/HUD/IRS/VA
601 N.W. Loop 410
Suite 600
San Antonio, TX 78216-5512

(p)US BANK
PO BOX 5229
CINCINNATI OH 45201-5229

United States Trustee - EP12
U.S. Trustee's Office
615 E. Houston, Suite 533
P.O. Box 1539
San Antonio, TX 78295-1539

Veterans Administration
Attn: Support Services Division (243)
701 Clay Avenue
Waco, TX 76799-0001

Victoria's Secret/Comenity
Bankruptcy Department
P.O. Box 182125
Columbus, OH 43218-2125

Zales
P.O. Box 182120
Columbus, OH 43218-2120

Maria M Crosby
11733 Stone Castle Dr
El Paso, TX 79936-2600

Miguel Alejandro Flores
Tanzy & Borrego Law Offices
2610 Montana
El Paso, TX 79903-3712

Stuart C. Cox
El Paso Chapter 13 Trustee
1760 N. Lee Trevino Dr.
El Paso, TX 79936-4565

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Bank of America
Attn: Inquiries
P.O. Box 982234
El Paso, TX 79998

(d)Bank of America
P.O. Box 982234
El Paso, TX 79998

FHA/HUD
451 7th Street S.W.
Washington, DC 20410

Macy's
Attn: Bankruptcy Dept.
P.O. Box 8053
Madison, OH 45040

Portfolio Recovery Associates, LLC
POB 41067
Norfolk VA 23541

The Home Depot
P.O. Box 78011
Phoenix, AZ 85062-8011

U.S. Bank
P.O. Box 790179
Saint Louis, MO 63179-0179

(d)U.S. Bank National Association
Bankruptcy Department
PO Box 5229
Cincinnati, Ohio 45201-5229

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Eduardo Crosby
El Paso, TX

End of Label Matrix
Mailable recipients 39
Bypassed recipients 1
Total 40